UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN

FILED - LN
September 25, 2024 11:11 AM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: gjw / SCANNED BY

JEFFREY RYAN FENTON,

PLAINTIFF

v.

VIRGINIA LEE STORY ET AL.,

DEFENDANTS

CASE NO. 1:23-CV-01097

NOTICE, DECLARATION, AND MOTION REGARDING THE NAMING AND ADDRESS OF DEFENDANT THOMAS ANDERSON IN THIS LAWSUIT[1]

Plaintiff brings this testimony and motion pursuant to 28 U.S. Code § 1746, Fed. R. Civ. 15[2](a[3])(2[4]), Fed. R. Civ. 15(c[5]).

I, Jeffrey Ryan Fenton, declare under oath as follows:

1. I am the plaintiff in this federal lawsuit (Case No. 1:23-CV-01097).

2. I am a citizen of the United States of America, born in Washington State.

3. I am domiciled in Genesee County, Michigan.

4. My mailing address is 17195 Silver Parkway, #150, Fenton, MI 48430-3426.

5. My phone number is (615) 837-1300. My email address is contact@jefffenton.com.

6. I am filing this document to explain a mistake I made in naming one of the defendants in this lawsuit, as well as his address on record.

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[1] Citations to the court record in this lawsuit will be notated without the case name or number, using the starting ECF Number, followed by both the beginning and ending Page ID, which is abbreviated as "PID."

[2] https://www.law.cornell.edu/rules/frcp/rule_15

[3] Amendments Before Trial

[4] Other Amendments

[5] Relation Back of Amendments

Initials: _____

PRO SE LITIGANT – MERITS RULE OVER TECHNICALITIES

7. I am acting in a *pro se*[6] capacity in this lawsuit by necessity and entitled to a liberal reading and less stringent standards since my filings have been prepared without assistance of counsel. See *Haines v. Kerner,* 404 U.S. 519, 92 S. Ct. 594 (1972).

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8. In compliance with the court's rules, I did not execute service myself, my mother did, who will be filing the PROOF OF SERVICE upon completion. During service by my mother, an incorrect naming/address discovery was made and brought to my attention, which is why I am explaining it here instead of having my mother explain this to the court.

PHONE CALL FROM THOMAS EARL EUGENE ANDERSON

9. On Thursday August 12, 2024, at 6:02 pm, I received a voicemail at (615) 837-1300, which was transcribed by my service provider to read: "Hello, this message is for Mr. Fenton. This is Thomas Anderson. You have the wrong Thomas Anderson in the lawsuit that you're trying to file you could please give me a call at 469-734-0640 so that we can kind of clear this up. Can direct you to the correct Thomas Anderson, but it's definitely not me. Thank you."

10. Upon receipt of his message, I quickly returned his phone call at the number provided, where I learned the following information:

11. There are two different men named "Thomas E. Anderson" in Middle Tennessee, who are both licensed real estate professionals[7]. Both agents have the same first names, middle initials, and last names, while having once worked at the same real estate firm together, where there were multiple mix-ups between the two agents' names.

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[6] ECF 1-35, PID.1960

[7] See attached exhibit 'A'.

Initials: 

https://rico.jefffenton.com/evidence/2024-09-23_thomas-anderson-name-and-address-correction.pdf Case 1:23-cv-01097-PLM-RSK (FENTON v. STORY et al.)

12. "Thomas Earl Eugene Anderson" (the wrong party who called me), with Tennessee real estate "Affiliate Broker" license #327116 was served by my mother via USPS at his residential address of 947 Russell Street, Nashville, TN 37026.

13. "Thomas E. Anderson[8]" (the correct party) with Tennessee "Real Estate Broker" license #254363 is also a state licensed "Principal Auctioneer", with license #3809, was served by my mother[9] via USPS[10] with tracking number 70203160000230014896 at his work address for ADARO Realty LLC, at 1187 Old Hickory Boulevard, Suite 125, Brentwood, TN 37027-4248, on August 26, 2024, as shown in the attached USPS receipts, which he personally signed for.

14. Mr. Anderson's middle name was not known to be questionable, but his residential address was a known concern, due to the high number of Andersons in the area. I had a very difficult time pinpointing what I thought might be his correct residential address. It was for this reason that I had my mother execute service for Mr. Anderson at both his believed residential address (which was wrong), as well as at his believed work address, according to the Tennessee Department of Commerce and Insurance[11], which fortunately was correct.

15. Another clear distinction between the two men, the man who called me to inform me that he was the *wrong* party, claimed not to have anything to do with *auctions*, while the "Thomas E. Anderson" who caused my damages did so in the capacity of an Auctioneer, while being duly licensed by the state.

16. Furthermore, I could clearly tell by the man's voice, while speaking with him over the phone, that he was not the same person who had caused my damages. Of this I am sure.

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[8] See attached exhibit 'B'.

[9] See attached exhibit 'C-2'.

[10] See attached exhibits 'C-3' through 'C-5'.

[11] https://verify.tn.gov/

Initials: 

https://rico.jefffenton.com/evidence/2024-09-23_thomas-anderson-name-and-address-correction.pdf Case 1:23-cv-01097-PLM-RSK (FENTON v. STORY et al.)

17. The man I spoke with mentioned that possibly the correct middle name for the Thomas E. Anderson in my lawsuit is "Edward", but this remains unconfirmed at this time.

18. For those reasons, I am seeking to change the naming of the party in my lawsuit, by dropping his middle name, to "THOMAS E. ANDERSON", while dropping his residential address and listing his work address of 1187 Old Hickory Boulevard, Suite 125, Brentwood, TN 37027-4248, unless he chooses to provide me with his residential address or another address at which he prefers to receive service.

19. This materially changes absolutely nothing within the complaint, except how this party is named on pages one and five, along with his address listed on page five of my "AMENDED COMPLAINT FOR TORTIOUS CONDUCT AND INJUNCTIVE RELIEF" (hereinafter "FAC"), filed by the undersigned on August 21, 2024, in ECF 66, PID.4870 & 4874.

20. Any and every mention throughout this lawsuit of "THOMAS ANDERSON" and "T. ANDERSON", regardless of what middle name(s) are used, refers to Tennessee Real Estate Broker/Auctioneer "THOMAS E. ANDERSON", holding Tennessee "Real Estate Broker" license #254363[12], whose broker license currently operates under the Real Estate Firm of ADARO Realty LLC[13], located at 1187 Old Hickory Boulevard, Suite 125, Brentwood, TN 37027-4248.

MOTION TO AMEND FAC TO CORRECT DEFENDANT THOMAS ANDERSON[14]

21. On page-1[15] of my FAC, ECF 66, PID.4870, where the name "THOMAS EARL EUGENE ANDERSON" is listed, please remove the middle name(s) of "EARL EUGENE" and replace them with the middle initial "E.".

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[12] See attached exhibit 'B'.

[13] See attached exhibit 'A'.

[14] ECF 66, PID.4870-5007 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-first-amended-complaint.pdf

[15] See attached exhibit 'D'.

Initials: 

22. The corrected name on page-1 of my FAC, should read "THOMAS E. ANDERSON".

23. On page-5[16] of my FAC, ECF 66, PID.4874, please strike the sentence which reads: "Thomas Earl Eugene Anderson is believed to be a U.S. citizen residing and domiciled at 947 Russell Street, Nashville, TN 37206-3714."

24. On page-5 of my FAC, ECF 66, PID.4874, please replace the sentence above with the following sentence, "Thomas E. Anderson is believed to be a U.S. citizen residing and domiciled in Middle Tennessee, with a business address of 1187 Old Hickory Blvd, Suite 125, Brentwood, TN 37027-4248."

25. No other changes are needed to correct my FAC in any known regard, in relation to defendant Thomas Anderson.

APPLICABLE COURT RULES

26. Fed. R. Civ. 15[17](a[18])(a[19]) states, "In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. *The court should freely give leave when justice so requires.*" (Emphasis added.)

27. Fed. R. Civ. 15(c) states, "the amendment changes the party or the *naming* of the party against whom a claim is asserted, if Rule 15(c)(1)(B) is satisfied and if, within the period provided by Rule 4(m) for serving the summons and complaint, the party to be brought in by amendment:

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[16] See attached exhibit 'E'.

[17] https://www.law.cornell.edu/rules/frcp/rule_15

[18] Amendments Before Trial

[19] Other Amendments

Initials: 

https://rico.jefffenton.com/evidence/2024-09-23_thomas-anderson-name-and-address-correction.pdf Case 1:23-cv-01097-PLM-RSK (FENTON v. STORY et al.)

(i) received such notice of the action that it will not be prejudiced in defending on the merits; and

(ii) knew or should have known that the action would have been brought against it, *but for a mistake concerning the proper party's identity*." (Emphasis added.)

28. Fed. R. Civ. 15(c)(1)(B) states, "the amendment asserts a claim or defense that arose out of the conduct, transaction, or occurrence set out—or attempted to be set out—in the original pleading;" (Which is exactly what took place, the counts in the complaint need not be modified in any way. I simply had the wrong middle name and address for Thomas Anderson.)

29. Thomas E. Anderson was served at the same time as the other defendants in this lawsuit, causing him no prejudice in defending on the merits whatsoever.

30. These mistakes were caught within a matter of days, and this declaration will be both mailed and emailed to Mr. Anderson to provide him with timely notice about the typographical errors in the FAC he received, while confirming that he is in fact the correct party to this lawsuit, encouraging that he proceed as one of the named defendants.

31. I motion for the court to make these simple corrections to my FAC as outlined above, to correct the *naming* and *address* of defendant Thomas E. Anderson, while specifically requesting, due to my *pro se* status and lack of experience, to please let me know if any further action is required on my part to complete these corrections.

32. Later, should the court provide me the opportunity, I will update/correct this information while making other minor edits, improvements, and clarifications to my lawsuit, in my next amended complaint.

33. I have much I must focus on currently: addressing the Court's Notice of Intent to

Initials: 

https://rico.jefffenton.com/evidence/2024-09-23_thomas-anderson-name-and-address-correction.pdf Case 1:23-cv-01097-PLM-RSK (FENTON v. STORY et al.)

Transfer Action filed in ECF 72, assisting my mother in the documentation of service and communication with the court, and needing to address a multitude of concerns arising out of service due to many defendants actively dodging service and denying confirmation when service has been successfully completed in violation of the USPS rules for certified mail—even when using restricted delivery as instructed in Mich. Ct. R. 2.105.

34. Unless the court tells me otherwise, I will assume that no further action is required on my part to correct the naming and address of defendant Thomas E. Anderson, so that I can focus on these other critical time sensitive matters.

IMPORTANT CASE LAW ABOUT WHY THIS MOTION SHOULD BE APPROVED

35. "*Pro se* pleadings are to be considered without regard to technicality; *pro se* litigants' pleadings are not to be held to the same high standards of perfection as lawyers."[20]

36. "Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment" (emphasis added).[21]

37. "Following the simple guide of rule [8(e)] that 'all pleadings shall be so construed as to do substantial justice'.....The federal rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits." The court also cited then-FRCP 8(f), now 8(e), which holds that all pleadings must be construed so as to do justice. (emphasis added).[22]

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[20] Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240; Pucket v. Cox, 456 2nd 233

[21] Maty v. Grasselli Chemical Co., 303 U.S. 197 (1938)

[22] Conley v. Gibson, 355 U.S. 41 at 48 (1957)

Initials: 

https://rico.jefffenton.com/evidence/2024-09-23_thomas-anderson-name-and-address-correction.pdf Case 1:23-cv-01097-PLM-RSK (FENTON v. STORY et al.)

CONCLUSION

38. The correct Thomas Anderson has accepted service of this lawsuit. He can disregard the mistaken middle name(s) and address listed on the complaint as honest typographical errors and proceed as one of the named defendants in this lawsuit.

39. This declaration has been executed in good faith, for the purposes stated herein.

DECLARATION

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 23, 2024



JEFFREY RYAN FENTON, PRO SE

17195 SILVER PARKWAY, #150
FENTON, MI, 48430-3426
CONTACT@JEFFFENTON.COM
(P) 615.837.1300

https://rico.jefffenton.com/evidence/2024-09-23_thomas-anderson-name-and-address-correction.pdf Case 1:23-cv-01097-PLM-RSK (FENTON v. STORY et al.)

License Search and Verification

We are upgrading verifty.tn.gov to Public Search. Please visit us here: https://search.cloud.commerce.tn.gov/

For best results, please limit the number of search fields. Only exact matches will be displayed. You may need to try different variations of search terms. e.g., "Smith and Smith Construction" and "Smith & Smith Construction." If any name has an apostrophe in it, please replace the apostrophe with a percent sign, entering "Smith's Auto Shop" as "Smith%s Auto Shop."

After you submit the search form, your results will appear below the form in this window (the form will remain for your reuse)...if you cannot see the results below, please scroll further down the search form.

For self-insured workers' compensation, or other reports, please submit to the Public Record Request form.

Firm or Last Name: Anderson

First Name: Thomas

Middle Name:

City:

State: TN

Zip:

License #:

Profession: Real Estate Broker/Affil/TS

CORRECT Thomas Anderson

Details	License #	Status	Expiry Date	Rank	Name	ATTN	Original Date
	254363	Active	Jun 24 2025	Real Estate Broker	ANDERSON, THOMAS "TOMMY" E. \	ADARO REALTY, INC	May 13 1994
	327116	Active	Jun 19 2025	Affiliate Broker	ANDERSON, THOMAS EARL \	Nancy Malone	Jun 20 2013
	230351	Expired	Nov 15 2021	Affiliate Broker	ANDERSON, THOMAS J \		Nov 22 1986
	306146	Expired	Jun 20 2020	Affiliate Broker	ANDERSON, THOMAS Q \		Jun 21 2006

WRONG Thomas Anderson

PLAINTIFF'S EXHIBIT A

License Search and Verification

CORRECT Thomas Anderson

We are upgrading verifty.tn.gov to Public Search. Please visit us here: https://search.cloud.commerce.tn.gov/

For best results, please limit the number of search fields. Only exact matches will be displayed. You may need to try different variations of search terms. e.g., "Smith and Smith Construction" and "Smith & Smith Construction." If any name has an apostrophe in it, please replace the apostrophe with a percent sign, entering "Smith's Auto Shop" as "Smith%s Auto Shop."

After you submit the search form, your results will appear below the form in this window (the form will remain for your reuse)...if you cannot see the results below, please scroll further down the search form.

For self-insured workers' compensation, or other reports, please submit to the Public Record Request form.

<< Click Here To Go Back To The Search Page

License Details	
License Status	Active
License #	254363
License ID	254363
Expiration Date	Jun 24 2025
Original Date	May 13 1994
Profession Code	2501
Profession Name	Real Estate Agent
First Name	THOMAS "TOMMY"
Middle Name	E.
Last Name	ANDERSON
City	BRENTWOOD
State	TN
Zip Code	37027
Rank	Real Estate Broker



DEFENDANT: THOMAS ANDERSON RECEIVED SERVICE: 8/26/2024

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Thomas ~~Earl Eugene~~ Anderson
~~947 Russell Street~~
~~Nashville, TN 37206~~

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

AUG 19 2024

Date: ~~5/23/2024~~

Paula J. Ward

Signature of Clerk or Deputy Clerk

PLAINTIFF'S EXHIBIT C

DEFENDANT: THOMAS ANDERSON

RECEIVED SERVICE: 8/26/2024

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

PLAINTIFF'S EXHIBIT C-2

Civil Action No. 1:23-cv-1097

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* THOMAS ANDERSON was received by me on *(date)* 8/21/2024 .

❒ I personally served the summons on the individual at *(place)* _____ on *(date)* _____ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* _____ , a person of suitable age and discretion who resides there, on *(date)* _____ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* _____ , who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____ ; or

❒ I returned the summons unexecuted because _____ ; or

☒ Other *(specify):*

Pursuant to F.R.Civ.P. 4(e)(1) and Mich. Ct. R. 2.105, defendant THOMAS ANDERSON was served via certified U.S. mail with restricted delivery, using tracking number 70203160000230014896 on 08/26/2024. See attached receipt copies from the USPS.

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 9/15/24

Marsha Ann Fenton
Server's signature

Marsha Ann Fenton
Printed name and title

17195 Silver Pkwy, #150, Fenton, MI 48430-3426
Server's address

Additional information regarding attempted service, etc:

Partial Identity Mix-up: The middle name and address in this lawsuit for Auctioneer THOMAS ANDERSON are incorrect. The correct THOMAS ANDERSON was served at the real estate firm he works for, ADARO Realty LLC, located at 1187 OLD HICKORY BLVD STE 125, BRENTWOOD, TN, 37027-4248. (Please see the attached declaration for details.)

DEFENDANT: THOMAS ANDERSON

RECEIVED SERVICE: 8/26/2024

UNITED STATES POSTAL SERVICE.

LINDEN
215 S MAIN ST
LINDEN, MI 48451-9998
(800)275-8777

08/23/2024 04:29 PM

Product	Qty	Unit Price	Price
Priority Mail®	1		$14.25
Brentwood, TN 37027			
Weight: 3 lb 10.60 oz			
Expected Delivery Date			
Mon 08/26/2024			
Insurance			$0.00
Up to $100.00 included			
Restricted Del			$12.75
Recipient name			
THOMAS ANDERSON			
Tracking #:			
70203160000230014896			
Return Receipt			$4.10
Tracking #:			
9590 9402 8627 3244 0682 06			
Total			$31.10

Grand Total: $62.20

Credit Card Remit $62.20
Card Name: VISA
Account #: XXXXXXXXXXXX8359
Approval #: 513292
Transaction #: 665
AID: A0000000031010 Chip
AL: VISA CREDIT
PIN: Not Required

UFN: 255460-0451
Receipt #: 840-54930036-1-5522121-2
Clerk: 6

7020 3160 0002 3001 4896

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Brentwood, TN 37027

OFFICIAL USE

Certified Mail Fee $4.10
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) $0.00
☐ Return Receipt (electronic) $12.75
☒ Certified Mail Restricted Delivery $0.00
☐ Adult Signature Required $0.00
☐ Adult Signature Restricted Delivery $
Postage $14.25
Total Postage and Fees $31.10

LINDEN, MI 48451 0451 6
Postmark Here AUG 23 2024
08/23/2024 USPS

THOMAS ANDERSON
1187 OLD HICKORY BLVD STE 125
BRENTWOOD TN 37027-4248

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

USPS TRACKING #
NASHVILLE TN 370
SEP 2024 PM 1

9590 9402 8627 3244 0682 06

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

17195 SILVER PKWY
PMB #150
FENTON, MI 48430-3426

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

THOMAS ANDERSON
1187 OLD HICKORY BLVD STE 125
BRENTWOOD TN 37027-4248

9590 9402 8627 3244 0682 06

2. Article Number (Transfer from service label)
7020 3160 0002 3001 4896

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Thomas Anderson ☐ Agent ☒ Addressee

B. Received by (Printed Name) Thomas Anderson
C. Date of Delivery Aug 26, 24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☒ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

PLAINTIFF'S EXHIBIT
C-3

ALERT: TROPICAL STORM FRANCINE, FLOODING, AND SEVERE WEATHER IN THE SOUTHERN U.S. M…

USPS Tracking®

FAQs >

COMPLETED

Remove ×

Tracking Number:

70203160000230014896

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 2:16 pm on August 26, 2024 in BRENTWOOD, TN 37027.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered
Delivered, Front Desk/Reception/Mail Room
BRENTWOOD, TN 37027
August 26, 2024, 2:16 pm

Out for Delivery
BRENTWOOD, TN 37027
August 26, 2024, 6:23 am

Arrived at Post Office
BRENTWOOD, TN 37027
August 26, 2024, 6:12 am

In Transit to Next Facility
August 25, 2024

Arrived at USPS Regional Destination Facility
NASHVILLE TN DISTRIBUTION CENTER
August 24, 2024, 6:17 pm

Arrived at USPS Regional Origin Facility
DETROIT MI DISTRIBUTION CENTER
August 24, 2024, 1:15 am

Feedback

PLAINTIFF'S EXHIBIT C-4

Arrived at USPS Regional Facility
PONTIAC MI DISTRIBUTION CENTER
August 23, 2024, 11:19 pm

Departed USPS Facility
LINDEN, MI 48451
August 23, 2024, 5:04 pm

Departed Post Office
LINDEN, MI 48451
August 23, 2024, 5:02 pm

USPS in possession of item
LINDEN, MI 48451
August 23, 2024, 4:20 pm

Hide Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

USPS Tracking Plus®

Product Information

Postal Product:	Features:	See tracking for related item:
Priority Mail®	Certified Mail Restricted Delivery Up to $100 insurance included. Restrictions Apply	9590940286273244068206 (/go/TrackConfirmAction?tLabels=9590940286273244068206)

See Less

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

PLAINTIFF'S EXHIBIT C-5

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

FILED - LN
October 13, 2023 4:52 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: EOD SCANNED BY: eod 10/13

JEFFREY RYAN FENTON,
Plaintiff

v.

VIRGINIA LEE STORY,
MICHAEL WEIMAR BINKLEY,
KATHRYN LYNN YARBROUGH,
ELAINE BEATY BEELER,
SARA B. MCKINNEY,
MARY ELIZABETH MANEY AUSBROOKS,
ALEXANDER SERGEY KOVAL,
HENRY EDWARD HILDEBRAND III,
CHARLES M. WALKER,
ROY PATRICK MARLIN,
THOMAS E. ANDERSON,
SAMUEL FORREST ANDERSON,
FRANK GOAD CLEMENT JR.,
ANDY DWANE BENNETT,
WILLIAM NEAL MCBRAYER,
JAMES MICHAEL HIVNER,
JOHN BRANDON COKE,
SANDRA JANE LEACH GARRETT,

Individually and in their official capacities,

STORY ABERNATHY CAMPBELL
ASHWORTH MCGILL WALTERS
AN ASSOCIATION OF ATTORNEYS,
ROTHSCHILD & AUSBROOKS PLLC,

BANK OF AMERICA, N.A.,
SPRAGINS, BARNETT, & COBB PLC,
BANCORPSOUTH BANK,
RUBIN LUBLIN TN, PLLC,

STATE OF TENNESSEE,
WILLIAMSON COUNTY TENNESSEE,
TENNESSEE ADMINISTRATIVE OFFICE
OF THE COURTS,
TENNESSEE COURT OF APPEALS
MIDDLE DIVISION,
CHANCERY COURT FOR
WILLIAMSON COUNTY TENNESSEE,

Defendants

CASE NO. 1:23-cv-1097
Jane M. Beckering
United States District Judge

JURY TRIAL DEMANDED



[redacted] MA.

- **Michael Weimar Binkley** is believed to be a U.S. citizen residing and domiciled at [redacted] MA.
- **Kathryn Lynn Yarbrough** is believed to be a U.S. citizen residing and domiciled at [redacted] MA.
- **Elaine Beaty Beeler** is believed to be a U.S. citizen residing and domiciled at [redacted] MA.
- **Sara B. McKinney**,
- **Mary Elizabeth Maney Ausbrooks** is believed to be a U.S. citizen residing and domiciled at [redacted] TN.
- **Alexander Sergey Koval** is believed to be a U.S. citizen residing and domiciled at [redacted] TN.
- **Henry Edward Hildebrand III** is believed to be a U.S. citizen residing and domiciled in Tennessee, with an address of P.O. Box 340019, Nashville, TN 37203-0019.
- **Roy Patrick Marlin** is believed to be a U.S. citizen residing and domiciled at [redacted] TN.
- **Charles M. Walker** is believed to be a U.S. citizen residing and domiciled in Tennessee.
- **Thomas E. Anderson** is believed to be a U.S. citizen residing and domiciled at [redacted] TN.
- **Samuel Forrest Anderson** is believed to be a U.S. citizen residing and domiciled in Tennessee.
- **Frank Goad Clement Jr.** is believed to be a U.S. citizen residing and domiciled at [redacted] TN.
- **Andy Dwane Bennett** is believed to be a U.S. citizen residing and domiciled in Tennessee.
- **William Neal McBrayer** is believed to be a U.S. citizen residing and domiciled in Tennessee.
- **James Michael Hivner** is believed to be a U.S. citizen residing and domiciled at [redacted] TN.
- **John Brandon Coke** is believed to be a U.S. citizen residing and domiciled at [redacted] TN.
- **Sandra Jane Leach Garrett** is believed to be a U.S. citizen residing and domiciled at [redacted] TN.
- **Story Abernathy Campbell Ashworth McGill Walters An Association of Attorneys** is a law firm located at 136 4th Ave S, Franklin, TN (hereinafter "SACAMW").
- **Rothschild & Ausbrooks, PLLC** is a law firm located at 1222 16th Avenue South, Suite 12, Nashville, TN (hereinafter "R&A").
- **Bank Of America, N.A.** is a financial institution located at 4909 Savarese Circle, Tampa FL 33634 (hereinafter "BOA").
- **Spragins, Bartnett, & Cobb, PLCNS** is a law firm located at 312 E Lafayette, Jackson, TN 38301 (hereinafter "SBC").
- **BancorpSouth Bank** is a financial institution located at 914 Murfreesboro Road, Franklin TN 37067 (hereinafter "BCSB").
- **Rubin Lublin TN, PLLC** is a law firm located at 119 S. Main Street, Suite 500, Memphis, TN 38103 (hereinafter "RLTN").
- **State of Tennessee** is a government entity with an office located at 425 5th Ave N Nashville, TN (hereinafter "the State").
- **Williamson County Tennessee** is a government entity with an office located at 1320 West Main Street, Franklin, TN 37064 (hereinafter "the County").
- **Tennessee Administrative Office of the Courts** is a government entity with an office located at 511 Union Street, Suite 600, Nashville, TN (hereinafter "Admin Office").
- **Tennessee Court of Appeals Middle Division** is a government entity with a 401 7th Avenue North, Nashville, TN (hereinafter "Appellate Court").

PLAINTIFF'S EXHIBIT E